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ABSTRACT

A National Institute of Education-sponsored, congresionally mandated project studied implementation of Title II (Vocational Education) of the 1976 Education Amendments. Focus was on provisions related to the major themes of program improvement and educational equity. It was found that despite the complexity of the law and the vocational education system, substantial leverage has been exerted on the vocational education system in those states sampled, particularly at the state level. At the time of the study, states were either meeting many federal requirements or were in various stages of implementing them. Four major recommendations were made for consideration by Congress in revising current legislation: (1) clarify the law, regulations, and federal administration policies: (2) modify federal requirements to better match the system in which they operate: (3) increase the flexibility of the federal requirements to accomodate the diversity in the vocational education system: and (4) shift the emphasis of administration at the federal level from compliance to management, technical assistance, and leadership. (A final section discusses the research methodology.) (YLB)

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THE ABT STUDY OF STATE AND LOCAL COMPLIANCE AND EVALUATION PRACTICES - AN OVERVIEW

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THE ABT STUDY OF STATE AND LOCAL COMPLIANCE AND EVALUATION PRACTICES - AN OVERVIEW

BACKGROUND

The Vocational Education Act, as amended by the 1976 Education Amendments, is an extremely complex law with multiple, far-reaching goals. As a result, it places heavy demands on the state and local agencies responsible for implementing the law, especially in relation to the relatively small contribution the federal government makes to the total vocational education enterprise. These demands are particularly onerous given that the requirements for increased reporting, evaluation, and data collection in the 1976 Amendments were accompanied by limitations on the use of VEA funds for administration.

Although Congress authorized special funding to assist states in meeting the planning and reporting requirements, the funds were not appropriated until several years into the implementation process, and then only in limited amounts. In addition, the increased demands and restrictions on the use of funds for administration came at a time when many states were experiencing severe financial constraints in the face of increasing costs and growing movements toward tax limitations.

The system of state and local education agencies affected by the Act is also complex. The structure of the vocational education enterprise is extremely diverse. Moreover, in many states the state vocational education agency is only loosely associated with the local agencies, since state control over local activities is often limited. Equally important, the delivery system is bottom-heavy in that most important decisions about what programs are taught, how they are taught, and what curricula are used, are made by the local education agency.

A paper presented at the annual meeting of the American Educational Research Association, Los Angeles, April 14, 1981. The views presented in the paper are the author's alone and do not necessarily represent those of the National Institute of Education, Abt Associates or other official policy.

This paper presents a brief discussion of the methods, findings and recommendations of a congressionally mandated study conducted by Abt Associates as part of the Vocational Education Study sponsored by the National Institute of Education (NIE). This study had three major objectives:

- to describe state and local implementation of the 1976 Education Amendments and the consequences of federally mandated vocational education policy and practice on state and local vocational education activity;
- to understand the ways in which state and local conditions affect the implementation of federal vocational education policy; and
- to recommend ways in which greater compliance with federal legislative intent can be achieved.

In addressing the study objectives, the project focused on provisions related to two major themes in the 1976 Education Amendments--program improvement and educational equity.

SUMMARY OF COMPLIANCE

Despite the complexity of the legislation and the vocational education system, the 1976 Amendments appear to have exerted substantial leverage on the vocational education system in those states sampled, at least at the state level where most of the administrative provisions are directed. State vocational education staff spend a considerable portion of their time--some estimate as high as 90 percent--administering the federal law. Federal goals and priorities strongly influence state activities. And overall, states were either meeting many of the federal requirements at the time of our visit or were in various stages of implementing them. While our knowledge of local activities is more limited, it appears that federal requirements are affecting local agencies also.

This is not to say that all sample states were complying with all provisions to the letter of the law. As will be seen in subsequent papers, some provisions of the law are more difficult to implement than others,

some provisions get more attention than others, and some states are further along in complying with the law than others. There are also cases where the law is being implemented, but compliance is not resulting in the outcomes Congress anticipated.

These discrepancies between practice and both the letter and the intended results of the law appear to stem in large measure from four factors, two of which are associated with characteristics of the federal requirements and two with the characteristics of the state and local vocational education system:

- Certain provisions of the federal requirements are unclear and therefore are variably implemented.
- Some of the major assumptions about the vocational education system on which the law is based (most notably the assumption that the state agency has direct and total control over all vocational education programs in the state) do not fit the system as it actually exists. Consequently, some provisions of the law do not achieve the results expected by Congress even when they are implemented as required.
- State and local goals and constraints may conflict with federal requirements. To the extent that the state and local priorities take precedence, the federal law may not be implemented as required.
- State and local agencies differ in the resources and expertise they have available to implement the law. To the extent that these agencies lack funds, staff or technical expertise, they will be unable to carry out the federal requirements, even when they agree with federal goals. Conversely, the presence of resources and expertise, often in the form of existing practices which conform to the requirements of the law, typically increases the extent to which the law is implemented.

Thus, despite current state and local efforts, there is still room for improvement in bringing practices closer to congressional intent.

GENERAL RECOMMENDATIONS

In view of the conclusion that compliance with the legislation is less than perfect and that, in some instances, even full compliance has not achieved congressional intent, how can the wishes of congress be better achieved? My colleagues and I will respond to this question in more detail in later papers. However, we would recommend congressional consideration of four broad types of change in revising current legislation:

- clarify the law, regulations, and federal administrative policies;
- modify federal requirements to better match the system in which they operate;
- increase the flexibility of the federal requirements to accomodate the diversity in the vocational education system; and
- shift the emphasis of administration at the federal level from compliance to management, technical assistance and leadership.

Clarifying and, where possible, simplifying the law, regulations, and federal policies is important in easing the burden of administering the law and, more importantly, in enabling vocational education administrators to clearly know what is required of them. When the administrators of a law are confused about what they are supposed to do, the implementation which follows will inevitably be inconsistent and, most likely, will fall short of Congressional intent. The most notable example of an unclear set of provisions in the 1976 Amendments and the accompanying regulations are the requirements for distributing federal funds among eligible recipients. To make matters worse, the policy memoranda issued by the Bureau of Occupational and Adult Education (BOAE) are also confusing, so that many states still have no clear sense of what qualifies as an acceptable funding formula.

Modifying the law to match the system in which it operates not only improves compliance, but also increases the congruence between compliance with the law and the realization of federal intent. If the law is based on incorrect assumptions about how the vocational education enterprise

operates, as seems to have been the case, then compliance will most probably not have the desired consequences. Acknowledging that state vocational education agencies do not have direct control over all vocational education programs in the state is a clear example of this point. Major program decisions are usually made by relatively autonomous local districts, not the state agency. Therefore, the notion of a master plan developed by the state to guide vocational education in every program in every school is unrealistic. Requirements for a state plan should reflect the role the state can play and emphasize its role as manager and leader.

Additional assumptions that do not match reality can be found in the federal administrative policies which govern states. For example, current sampling policies for evaluating planning and operational processes are based on the assumption that the goal of program reviews is to describe a representative sample of programs. Typically, however, the program review process is intended to improve programs in individual districts and should, therefore, be targeted to districts in need of assistance.

Increasing the flexibility of the federal requirements is another strategy for accommodating the diversity among states. This could be accomplished by actually incorporating flexibility into the law or through the regulation process. For example, the 1979 Technical Amendments permitted exceptions to the requirements for a 50-50 match for the handicapped and disadvantaged set-asides. However, BOAE's role in maintaining the flexibility intended by Congress is critical. In guidelines issued for administering the waiver on the set-aside match, for example, the regulations appear to be so restrictive and onerous that one wonders whether states will take advantage of this option. Similarily, regulations specifying the composition of the State Planning (107) Committee are much less flexible than was originally permitted by law.

Providing for flexibility should not be viewed as compromising federal intent, as flexibility may actually serve to bring state and local practices closer to federal intent by taking into account local constraints and character-

istics. To again turn to the example of the 50-50 match for the handicapped and disadvantaged set-asides, the match was intended to ensure that federal dollars stimulated and supplemented rather than supplanted state and local funds used to serve special needs populations. This intent was not being met in some states and local agencies because they were unable to generate the required match, and a few states actually returned money to the federal treasury. Future legislation should seek to avoid disincentives of this kind by increasing flexibility in certain areas. At the same time, federal regulations should establish appropriate procedures to govern the flexibility.

Shifting the emphasis of administration away from compliance toward leadership and technical assistance will require a shift in the orientation of BOAE. Some measures of compliance will still be needed as a basis for accountability, but rather than focusing primarily on obtaining evidence of compliance with the letter of the law, the federal government should provide more guidance in how to implement particularly troublesome parts of the law. Policy guidelines should spell out what is allowed and what is prohibited. BOAE should also hold workshops and provide materials to share ideas and assist states in approaching issues constructively and with the best possible practices. Facilitating exchange of ideas and materials among sex equity coordinators, for example, would have been especially useful, as states were dealing with these new responsibilities after the passage of the 1976 Amendments. While there have been some outstanding equity-related materials developed, these have not been widely disseminated. As a result, coordinators were left to operationally define their mandated functions without assistance.

Current levels of state effort, together with obstacles to implementation cited above, suggest that future revisions of the act will require more than simply increasing the prescriptiveness of the law. That is, making the requirements more detailed and restrictive will probably accomplish little. If one assumes that Congress will wish to retain the multiple goals and broad sweep of the VEA, as opposed to focusing the law on a

select number of goals, the addition of more narrowly defined provisions may actually affect compliance negatively. More precisely, since the law is already prescriptive, since states are already expending considerable funds and effort to comply, and since resources are generally limited, increased specification of detailed requirements can be expected to have little payoff in adherence to the provisions of the law. Increasing prescriptiveness may actually be counterproductive to the extent that "compliance" becomes an end in itself rather than a means to an end. A mindset of this sort may well lead state and local officials to make overly stringent interpretations of the law.

Detailed prescription also implies a single model of service delivery. However, given the diversity of the system, no single model will fit the existing structure and administrative procedures in more than a few states. By forcing diverse states to conform to one model in order to comply with the law, one runs the risk of making the implementation of federal requirements separate from and irrelevant to the actual state planning and management activities. Even worse, efforts to conform to a prescribed model may consume inordinate amounts of resources so that states are unable to perform activities such as preparing operational plans for state activities and providing technical assistance to and monitoring of local education agencies.

An increasing emphasis on prescription in the law would also increase the emphasis on compliance in the new Office of Vocational and Adult Education (OVAE). After the passage of the 1976 Amendments, BOAE devoted an increasing share of its resources to compliance activities at the expense of its leadership and technical assistance activities. One example of the trade-offs that were made as financial constraints became increasingly severe can be found in the priorities set for travel. When the agency's travel budget was reduced, bureau officials decided that the budget would only be used for compliance activities such as conducting the Management Evaluation Reviews for Compliance/Quality; travel to provide technical assistance, formerly a key function of BOAES, was either severely reduced or eliminated entirely.

In recommending that the prescriptiveness of the Vocational Education Act not be increased, it is not suggested that states be given federal funds without restrictions. Instead, it is proposed that other strategies for revising the federal requirements will probably be more effective in bringing state and local practices in vocational education closer to Congressional intent without increasing the already heavy burden on state and local administrators.

RESEARCH METHODOLOGY

Our approach to data collection was based on the use of a case survey methodology which combines aspects of both case study and survey methodology. This approach allowed more detailed specification of the types of information needed than a traditional case study approach. In addition, the case survey approach allows more integration of the qualitative data with other data collected and analyzed by traditional quantitative techniques.

The data collection process was multi-staged, with instrumentation designed to guide field researchers through each stage. Stage I of the process consisted of staff preparation for the site visit. Stage II consisted of the site visit itself, and included instrumentation to guide both the on-site interviews and the write-up of field notes. Stage III consisted of post-visit debriefings and reporting.

Each state was visited twice. The first visit was made during the summer of 1979 to the state vocational education agency to explain the study, conduct preliminary interviews, and obtain written materials on the topics being studied. The second visit was made during the 1979-80 school year. At least two project staff members interviewed state-level officials during the first three days of the site visit. In those states where local institutions were also studied, the project staff spent at least two additional days interviewing secondary, postsecondary, and CETA staff in one geographic area.

All interviews were semi-structured. Each field team was required to collect information on a standard set of topics in each site, but the specific questions asked of each respondent were left to the discretion of the interviewer because of the diversity of state and local delivery systems in the sample. In order to protect the confidentiality of our respondents, states or local institutions are not identified individually unless the data are taken directly from public documents such as State Plans, BOAE Statistical Reports, or State Advisory Council Reports.

The process for handling qualitative data was structured to permit comparisons across cases and facilitate generalizations through a standardized analysis/report outline and an extensive review process. Detailed topic agenda specified the research questions and issues, the data to be used, and the decision rules that guided judgments for each set of questions and issues. An iterative review process was designed to assure completeness of the presentation and general adherence to a standardized format.

Sampling Plan

The sampling plan involved several stages. First, in conjunction with NIE Vocational Education Study staff, 15 states were selected in which to conduct state-level interviews. Then, ten of these states were selected for extensive interviewing at the local level. Within these ten states, local vocational agencies were selected to examine local compliance and evaluation issues. In each of these jurisdictions, one secondary school was selected for in-depth study and in each of the ten states one or more postsecondary schools serving the jurisdiction were also selected. Finally, at each educational level, we selected education and training policy makers, planners, administrators, and other personnel, as well as community representatives, to serve as respondents in the study.

Five of the 15 states were examined at the state level only; ten states were examined at both state and local levels. All 15 states were investigated with respect to all major components of the study.

In selecting the 15 states, an attempt was made to ensure that:

- they were geographically diverse;
- they included a significant proportion of the students in the nation, both overall and by minority group; and
- they were representative on a number of other dimensions which might be expected to influence compliance.

Table I presents the values for the 15 states selected for the sample on each of these criteria.

Table I

SUMMARY OF SAMPLING CONSIDERATIONS

(1)	(2)	(3)	(4)			(5)				(6)	(7)
REGION/STATES	% U.S. POPULATION AGED 16-25 IN STATE	STATE GOVERNANCE STRUCTURE	% CENTRAL CITY, OTHER METRO, NON-METRO			% U.S. POPULATION MINORITY IN STATE				% WOMEN IN NONTRADITIONAL VOCATIONAL TRAINING T. & I. (H, L, M)	% VOCATIONAL EDUCATION STUDENTS IN POST-SECONDARY SCHOOLS
			CC	OM	NM	BLACK	INDIAN	ASIAN	HISP.		
Northeast											
New Hampshire	0.4	B	19.5	7.9	72.6	0.1	0.0	0.0	0.2	1.5 (L)	4.8
New York	9.0*	A	51.1	35.4	13.5	9.6	2.2	7.9	9.4	3.4 (L)	13.9
Pennsylvania	5.8*	A	28.6	50.8	38.6	4.5	0.1	1.5	2.2	4.6 (M)	10.3
North Central											
Illinois	5.5*	B	36.7	43.4	19.9	6.3	1.4	2.7	3.9	4.4 (M)	6.0
Indiana	2.6	C	33.8	28.1	38.1	1.6	0.6	1.1	0.7	6.3 (M)	6.3
Wisconsin	2.2	C	30.5	27.1	42.4	0.3	0.4	0.6	0.2	10.5 (M)	23.3
South											
Kentucky	1.6	C	17.1	23.0	60.0	0.9	0.1	0.1	0.7	3.2 (L)	9.6
Texas	5.5*	B	48.2	25.4	26.5	0.6	0.1	1.4	28.9	4.1 (M)	10.2
Alabama	1.1	B	25.5	26.7	47.7	1.0	0.4	0.2	0.2	3.3 (L)	10.2
Florida	3.3	A	28.7	38.9	31.4	4.3	0.8	0.9	6.0	5.7 (M)	9.4
Oklahoma	1.3	C	29.8	20.3	49.9	0.8	13.3	0.2	0.4	4.4 (M)	7.6
West											
California	9.8*	B	36.3	56.4	7.3	6.2	9.8	33.2	33.1	5.9 (M)	27.1
New Mexico	0.5	D	24.8	7.1	68.5	0.1	8.7	0.1	4.6	7.1 (M)	10.9
Oregon	1.0	B	25.2	36.0	38.8	0.1	0.3	2.9	0.4	5.3 (M)	20.0
Colorado	1.1	C	33.8	37.8	28.4	0.2	1.1	0.6	2.5	4.1 (M)	31.1
PERCENTAGE IN SAMPLE	50.7					39.6	38.3	53.2	85.2	50.7	
U.S. Average										5.9 (M)	12.3

*Indicates five largest states.

Source:

(1) U.S. Census groupings
(2) Grant, W. Vance, and George Lind, Digest of Educational Statistics 1976 (Washington, D.C.: National Center for Educational Statistics, U.S. Office of Education).
(3) Gentry, Ann E., "Federal and State Governance of Vocational Education: Its Relation to Compliance with Federal Rules and Regulations," 1978.
(4) Bureau of Labor Statistics, Population Survey, 1976.
(5) U.S. Bureau of Census, Characteristics of the Population, 1970, Vol. I.
(6) Bureau of Occupational and Adult Education Annual Report, 1976.
(7) Bureau of Occupational and Adult Education Annual Report, 1976.

The selection of districts and schools was also performed through a multi-stage sampling design. In all, 16 school districts were selected for study. Within each of the 16 school districts, one secondary vocational school was selected for study. In 12 of these school districts, one post-secondary school serving the district was also selected. In addition, 10 CETA prime sponsors were selected in which CETA/vocational education coordination was studied. The goal of the sampling strategy within states was to maximize the representativeness of the total sample on the following four dimensions:

- population characteristics
  - central city
  - other metropolitan
  - non-metropolitan
- type of secondary school
  - vocational center
  - vocational high school
  - comprehensive high school
  - designated area vocational high school
- type of postsecondary school
  - community college
  - technical institute
- CETA model
  - balance of state prime sponsor
  - consortium prime sponsor
  - single unit prime sponsor

Selection of Respondents

At the state level, respondents were sampled who were directly involved in setting vocational education policy, administering vocational education, assuring non-discrimination in vocational education programs, collecting state-wide data, providing technical assistance to local agencies and evaluating program effectiveness. Also interviewed were numerous persons involved in the state planning process such as members of the State Advisory Council on Vocational Education (SACVE) and State Occupational Information Coordinating Committee (SOICC).

At the local level, representatives of vocational education administrators, board of education and advisory council members, special education staff and staff of the CETA Prime Sponsor were interviewed. In addition, in most places we talked with superintendents, principals, and vocational instructors. As at the state level, the number of local respondents varied between 5 and 25 depending on the size and structure of the district.

SUMMARY

The Abt Study was an ambitious, three year undertaking. It is, however, only one of several research efforts overseen by the NIE Vocational Education Study staff. There remains for them the difficult task of integrating and interpreting the findings of six major studies and a dozen lesser ones. This will not be an easy job.

The Abt Study sought to describe state and local implementation of the provisions of the Vocational Education Act, as ammended in 1976; to better understand the ways in which local environments affect compliance; and, to provide Congress with recommendations for achieving greater adherance to federal intent.

It is recommended that Congress make minimal changes in current legislation, based on our conclusion that the law is generally having (or is likely to have when fully implemented) the desired impact on state and local educational agencies. Further, states are, for the most part, complying with the letter, if not the spirit, of the law. In those areas where non-compliance is widespread, a portion of the problem lies in a law which is, in a few places, ambiguous, based on false assumptions, and unclear. Another problem lies in the failure of federal administration to resolve legislative foibles. These gaps should be filled in reauthorizing the Vocational Education Act.